

The Honorable James L. Robart

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MICROSOFT CORPORATION, a Washington
corporation,

Plaintiff,

v.

MOTOROLA, INC., and MOTOROLA
MOBILITY LLC, and GENERAL
INSTRUMENT CORPORATION,

Defendants.

CASE NO. C10-1823-JLR

**DECLARATION OF ANDREA
PALLIOS ROBERTS IN SUPPORT
OF MOTOROLA'S RESPONSE TO
MICROSOFT'S MOTION FOR
SUMMARY JUDGMENT**

**NOTED ON MOTION CALENDAR:
Wednesday, July 31, 2013 at 10:00 a.m.**

I, Andrea Pallios Roberts, declare as follows:

1. I am an attorney at the law firm of Quinn Emanuel Urquhart & Sullivan, LLP, counsel of record for Defendants in this matter. I have personal knowledge of the facts stated herein and if called to testify could and would competently testify thereto.

2. Attached as Exhibit A is a true and correct copy of cited excerpts of the transcript of the April 4, 2012 deposition of Horacio E. Gutierrez.

3. Attached as Exhibit B is a true and correct copy of cited excerpts of the transcript of the May 28, 2013 deposition of Horacio E. Gutierrez.

1 4. Attached as Exhibit C is a true and correct copy of Exhibit 8 to the May 28, 130
2 deposition of Horacio E. Gutierrez.

3 5. Attached as Exhibit D is a true and correct copy of cited excerpts of the transcript
4 of the May 7, 2013 deposition of Jon Devaan.

5 6. Attached as Exhibit E is a true and correct copy of cited excerpts of the trial
6 testimony provided by Kirk Dailey on November 20, 2013.

7 7. Attached as Exhibit F is a true and correct copy of Notice of a Commission Final
8 Determination of Violation of Section 337; Issuance of a Limited Exclusion Order; Termination of
9 Investigation; and Limited Exclusion Order, issued in International Trade Commission
10 Investigation No. 337-TA-744, *In the Matter of Certain Mobile Devices, Associated Software, and*
11 *Components Thereof*, on May 18, 2012.

12 8. Attached as Exhibit G is a true and correct copy of a Contribution, dated August
13 31, 2005, from Microsoft to the SD Card Association, promising to license patents, including U.S.
14 Patent Nos. 5,579,517 and 5,758,352, on reasonable and non-discriminatory terms, bearing
15 production numbrs MS-MOTO-1823_00002370168-70..

16 9. Attached as Exhibit H is a true and correct copy of Exhibit 51 to the Complaint
17 filed by Microsoft Corp. with the International Trade Commission on October 1, 2010.

18 10. Attached as Exhibit I is a true and correct copy of Exhibit 52 to the Complaint filed
19 by Microsoft Corp. with the International Trade Commission on October 1, 2010.

20 11. Attached as Exhibit J is a true and correct copy of cited excerpts of the transcript of
21 the May 6, 2013 deposition of David Killough.

22 12. Attached as Exhibit K is a true and correct copy of cited excerpts of the transcript
23 of the July 1, 2013 deposition of Theo Bodewig.

24 13. Attached as Exhibit L is a true and correct copy of cited excerpts of the transcript of
25 the May 9, 2013 deposition of James Jeff Davidson.
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1 14. Attached as Exhibit M is a true and correct copy of excerpts of the transcript of the
2 telephonic conference held on June 25, 2013.

3 15. Attached as Exhibit N is a true and correct copy of excerpts of the transcript of the
4 March 20, 2012 deposition of K. McNeill Taylor, Jr.

5 I declare under penalty of perjury under the laws of the United States and the State of
6 Washington that the foregoing is true and correct.

7 EXECUTED this 12th day of July, 2013 at Redwood Shores, California.

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9 _____
10 Andrea Pallios Roberts
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CERTIFICATE OF SERVICE

I hereby certify that on this day I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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DATED this 12th day of July, 2013.

/s/ Marcia A. Ripley
Marcia A. Ripley